

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 680 of 2020

Venkatrajulu

.. Petitioner

Vs

1.The Superintendent of Police,
Superintendent of Police Office,
Nagapattinam - 611 001.

2.The State, Rep. by the Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.

3.Arunagiri

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent to produce the petitioner's daughter Padmavathi aged about 33 years and the petitioner's grand daughter Minor Abinaya, daughter of Anand, aged about 9 years before this Court from the custody of the third respondent and set them at liberty.

For Petitioner : Mr.M.Duraimurugan

For Respondents: Mr.R.Prathap Kumar,
Addl.Public Prosecutor
for R1 & R2

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the second respondent to produce the petitioner's daughter Padmavathi aged about 33 years and the petitioner's grand daughter Minor Abinaya, daughter of Anand, aged about 9 years before this Court from the custody of the third respondent and to set them at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that her daughter

Padmavathi, aged about 33 years, has gone missing along with the child Abinaya, aged about 9 years since 04.03.2020 and that the police are not taking effective steps to secure them.

3.Today, Mr.N.Jayakumar, Sub Inspector of Police, Mayiladuthurai Police Station is present.

4.On instructions, learned Additional Public Prosecutor submitted that Padmavathi was married to one Anand and she got estranged from him, after which, she came to her natal home along with her child Abinaya born through Anand and was staying with her mother. On the complaint given by the petitioner, a case in Mayiladuthurai Police Station Crime No.120 of 2020 was registered on 05.03.2020 for woman and child missing and during the course of investigation, it came to light that Padmavathi had developed intimacy with one Arunagiri @ Giri (third respondent) and has eloped with him.

5.In view of the above, it cannot be stated that Padmavathi and the child are in the illegal custody of anyone for issuance of a writ of habeas corpus. Hence this habeas corpus petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Superintendent of Police Office,
Nagapattinam - 611 001.

2.The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 680 of 2020

GMI (CO)
GN(23/03/2021)